

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRIGHT DATA LTD.

Plaintiff,

v.

TESO LT, UAB; OXYSALES, UAB;
METACLUSTER LT, UAB;

Defendants.

Case No. 2:19-cv-395-JRG

**JOINT STIPULATION AND MOTION TO DISMISS ALL
NON-PATENT CLAIMS AND NON-PATENT COUNTERCLAIMS**

Plaintiff Bright Data Ltd. (“Plaintiff” or “Bright Data”) and Defendants Teso LT, UAB, Metacluster LT, UAB, and Oxysales, UAB (collectively, “Defendants” or “Oxylabs”) (Plaintiffs and Defendants, collectively, the “Parties”) file this Joint Stipulation of Dismissal of Non-Patent Claims and Non-Patent Counterclaims, and respectfully show as follows:

The Parties hereby dismiss with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the following causes of action:

1. Oxylabs’ cause of action for monopolization under 15 U.S.C. § 2 (ECF No. 92, Counterclaims, Count I);
2. Oxylabs’ cause of action for attempted monopolization under 15 U.S.C. § 2 (ECF No. 92, Counterclaims, Count II);
3. Oxylabs’ cause of action for breach of contract. (ECF No. 92, Counterclaims, Count V);

4. Bright Data's cause of action for misappropriation of trade secrets under Federal Defense of Trade Secret Act under 18 U.S.C. § 1836 *et seq.* (ECF No. 1, Complaint, Count IV);
5. Bright Data's cause of action for intentional unauthorized access of protected computer under 18 U.S.C. § 1030(g) *et seq.* (ECF No. 1, Complaint, Count V);
6. Bright Data's cause of action for false advertising under 15 U.S.C. § 1125(a) *et seq.* (ECF No. 1, Complaint, Count VI); and
7. Bright Data's cause of action for tortious interference with business relationships (ECF No. 1, Complaint, Count VII).

The Parties shall bear their own respective attorney's fees and costs regarding the dismissed causes of action.

Dated: April 19, 2021

Respectfully submitted,

/s/ Korula T. Cherian

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Dated: April 19, 2021

Respectfully submitted,

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UAB, and Metacluster LT, UAB*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on April 19, 2021. As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Korula T. Cherian

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the counsels for the parties have complied with Local Rule CV-7(h). Counsel participating include: Robert Harkins on behalf of Plaintiffs; Steven Callahan on behalf of Defendants. Following the meet and confer on April 18, 2021, the parties reached agreement. Defendants join this motion.

/s/ Korula T. Cherian